

REMARKS

The Final Office Action mailed July 12, 2007 has been received and the Examiner's comments carefully reviewed. In the present response, claims 1 and 2 are amended to further define that "the opening is constructed to not disturb the spray from the nozzle." This amendment is supported by the originally filed specification, for example on page 3, lines 8-15 of the specification. Claim 2 is also amended editorially. No new matter has been added by way of these amendments, and claims 1-8 are currently pending. Favorable reconsideration of this application is requested in view of the following remarks.

Currently Pending Claims

In the final Office Action, the Examiner indicates that the Preliminary Amendment filed in the present application was not received or examined by the Examiner. Applicants note that the Preliminary Amendment was acknowledged as received on a transmittal cover sheet included alongside the filing of the U.S. National Stage patent application on November 18, 2004, as reflected in the documents electronically available on the USPTO's Patent Application Information Retrieval system. It is also reflected on the Notice of Missing Requirements mailed to the undersigned on June 17, 2005. Applicants thank the Examiner for expediting prosecution of the present application by accepting the claims presented on April 10, 2007 as the currently pending claims, and refer to the Communication filed herewith enclosing the Preliminary Amendment for reference by the Examiner and for completeness of the application history file.

Claim Rejections - 35 USC § 102

In the Office Action, claims 1-4 remain rejected under 35 U.S.C. § 102(b) as being anticipated by Schoeps et al. (U.S. Patent No. 5,299,495). Applicants respectfully traverse this rejection.

A. Independent Claim 1

Applicants note that independent claim 1 requires, among other elements, that "each separate cover surrounds a single spray nozzle"; "wherein the air flow is low enough not to disturb the spray from the nozzle"; and that "the opening is constructed to not disturb the spray

from the nozzle.” Applicants assert that at least these elements are not disclosed or suggested by Schoeps et al.

First, Schoeps et al. fails to disclose a separate cover surrounding each single spray nozzle, as required in claim 1. Schoeps et al. discloses a cylinder moistening assembly having a single screen covering all nozzles. This feature is seen in Figures 1-6, where each spray nozzle 7 has the same cover, i.e. the housing 3. The plates 12 and 13, mounted into the housing 3, are shown as accommodating multiple nozzles in Figures 2-6, and illustrate that the same screen is used for all nozzles. Because claim 1 explicitly requires a separate cover surrounding each single spray nozzle, this claim element is not disclosed in Schoeps et al. The Examiner indicates in the final Office Action that, reading col. 4 ll. 19-21 of Schoeps et al. one having ordinary skill in the art could infer that each nozzle has a separate housing. Applicants respectfully disagree, and point the Examiner to Schoeps et al. at Figures 2-6, which illustrate that the single housing 3 provides openings for the multiple nozzles provided by that disclosure. Therefore, such a one-to-one correspondence of housings to nozzles is not explicitly disclosed in Schoeps et al., the only multi-nozzle embodiments of Schoeps et al. in fact do not have such correspondence between housings and nozzles.

Secondly, Schoeps et al. does not disclose air flow that is low enough not to disturb the spray from the nozzle, as required in claim 1. Applicants note that the stated air pressure disclosed in Schoeps et al. of 1.1 to 1.5 bar will (even assuming that the pressure is an absolute pressure, i.e. 0.1 to 0.5 bar over atmospheric pressure) provide a considerable flow velocity out from the screen. This air flow rate will not only disturb the spray pattern (opposite of what is claimed), but will increase the consumption of the pressurized air. Furthermore, although the Office Action indicates that Schoeps et al. recites that the housings are maintained at a positive pressure, the Examiner admits that a throttling device is not explicitly disclosed. Applicants assert that the Examiner provides no basis for the assertion that Schoeps et al. “inherently must have a throttling device to maintain the air pressure as disclosed.” Applicants assert that both no throttling device is in fact disclosed or suggested by the portion of the specification cited by the Examiner, and (2) even if a throttling device were inherent, it would only be to throttle air pressure to the disclosed 1.1 to 1.5 bar, an unacceptably high air pressure as previously discussed.

Third, Schoeps et al. fails to disclose that the opening is constructed to not disturb the spray from the nozzle, as required in claim 1. Schoeps et al. discloses a screen common to a number of spray nozzles, as previously described. As shown in Figures 2-6 and 9 and col. 2:59-65 of Schoeps et al., the purpose of this common screen is to shape the spray outline from the number of nozzles. A screen of the type disclosed in Schoeps et al. shapes the spray outline by blocking parts of a spray from a nozzle from hitting the cylinder toward which the spray is directed. See, e.g., Fig. 8 of Schoeps et al. This is further discussed at col. 3:4-13, as well as col. 6:4-8 and col. 4:56-65 of Schoeps et al.

For at least these above reasons, Applicants assert that Schoeps et al. fails to disclose each of the elements of claim 1 as currently presented. Applicants therefore respectfully request reconsideration and withdrawal of the rejection of this claim.

B. Independent Claim 2

With respect to independent claim 2, Applicants similarly note that claim requires, among other elements, “each spray nozzle being surrounded by a separate cover”; “a throttling device that restricts the air flow enough to leave the spray cone undisturbed”; and also that that “the opening is constructed to not disturb the spray from the nozzle.” Applicants assert that at least these elements are not disclosed or suggested by Schoeps et al. for at least the same reasons as set forth above with respect to claim 1. Applicants therefore respectfully request reconsideration and withdrawal of the rejection of independent claim 2.

C. Dependent Claims 3-4

Claims 3-4 depend from claim 2, and as such inherit all of the limitations therefrom. Applicants therefore assert that these dependent claims are not anticipated by Schoeps et al. for at least the same reasons as set forth above with respect to claim 2 (and claim 1, by reference). Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

D. Dependent Claims 5 and 8

Claims 5 and 8 also depend from claim 2, and appear to be rejected as anticipated under 35 U.S.C. § 102(b) as anticipated by Schoeps et al. as well. Applicants assert that these claims, like dependent claims 3-4, are not anticipated by Schoeps et al. for at least the same reasons as set forth with respect to claim 2 (and claim 1 by reference) due to the fact that claims 5 and 8

inherit all of the limitations of claim 2. Applicants therefore respectfully request reconsideration and withdrawal of the rejection of these claims as well.

Claim Rejections - 35 USC § 103

In the Office Action, claims 6-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schoeps et al. in view of Marsden (U.S. Patent No. 2,448,226). The Office Action asserts that Schoeps et al. fails to teach a spray valve for the spray nozzle with an internal air conduit and an air bore connected to the cover, wherein the air bore has such a diameter that a throttling effect is obtained. The Office Action asserts that the missing limitations of the dependent claims are taught by Marsden. Applicants respectfully traverse this rejection.

Without reaching (and without in any way implicitly agreeing to) the examiner's assertions regarding the teachings of Marsden, Applicants assert that the combination of Schoeps et al. and Marsden does not teach or suggest each of the elements of dependent claims 6-7. Claim 6 depends from claim 2, and therefore inherits all of the limitations from that independent claim. Claim 7 depends from claim 6, and therefore inherits all of the limitations of that claim as well as claim 2, from which claim 6 depends. Applicants assert that the combination of Schoeps et al. and Marsden does not teach or suggest each of the limitations of claims 6-7 at least for the reason that the combination of Schoeps et al. and Marsden do not teach or suggest each of the elements of claim 2 from which the claims depend.

Applicants explicitly refer to claim 2 above, and assert that the asserted combination fails to teach or suggest, among other elements, "each spray nozzle being surrounded by a separate cover"; "a throttling device that restricts the air flow enough to leave the spray cone undisturbed"; and also that that "the opening is constructed to not disturb the spray from the nozzle." Applicants note that these limitations are not present in Schoeps et al. for the reasons set forth above, and the limitations also are not addressed in the Office Action with respect to Marsden. Applicants therefore respectfully request reconsideration and withdrawal of the rejection of claims 6-7.

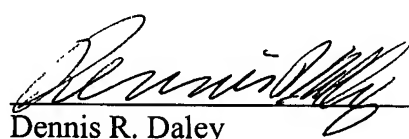
Conclusion

It is respectfully submitted that each of the presently pending claims is in condition for allowance and notification to that effect is requested. Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

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Dennis R. Daley
Reg. No. 34,994
DDaley/AJL/dc